

Royal Command

Non-Smoker's Health Protection Act, B.E. 2535 (1992)

BHUMIBOL ADULYADEJ, REX.

Given on the 30th day of March B.E. 2535

Being the 47th year of the Present Reign

His Majesty King Bhumibol Adulydej has been graciously pleased to proclaim that:

Whereas it is expedient to promulgate the law on the health protection of non-smokers,

Be it therefore enacted by the King, by and with the advice and consent of the National Assembly acting as the Parliament, as follows:

Section 1 This Act is called the "Non-Smoker's Health Protection Act B.E. 2535".

Section 2 This Act shall enter into force as from the day following the date of its publication in the Government Gazette.

Section 3 In this Act

"Cigarette" means a cigarette, cigar, other cigarettes, tobacco or modified tobacco pursuant to the law on tobacco

"Smoking" includes any act, which results in the production of smoke from the burning of cigarette.

"Public place" means a place or any vehicle where the public is entitled to enter.

"Operator" means an owner, manager, supervisor or a person responsible for the operation of the public place.

"Non-smoking area" means an area where smoking is prohibited.

"Smoking area" means an area where smoking is allowed.

"Authority" means a person who is appointed by the Minister to execute this Act.

"Minister" means the Minister taking charge of this Act.

Section 4 The Minister shall have the power to publish in the Government Gazette.

- (1) designation the names of types of public places where the health of non-smokers shall be protected;
- (2) designating any part or all of the public places under (1) as a smoking or non-smoking area;
- (3) designating the condition, nature and standard of non-smoking or smoking areas with respect to smoke or air ventilation;
- (4) designating the criteria and procedures of sign demonstration in the smoking or non-smoking areas.

The publication under (3) or (4) shall also fix the date, time or period on which the operator must complete such compliances.

Section 5 After publication by the Minister under Section 4, the operator shall have the duty

- (1) to arrange any part or all of the public places as the smoking and non-smoking areas;
- (2) to arrange the smoking area to have such condition, nature and standard as designated by the Minister;
- (3) to arrange for the signs in the smoking or non-smoking areas in accordance with the criteria and procedures designated by the Minister.

Section 6 No person shall be allowed to smoke in a non- smoking areas,

Section 7 The authority shall have the power to enter such public places as published by the Minister under Section 4 (1) and (2) during sunrise and sunset or working hours of such places for inspection or supervision of the implementation of this Act.

Section 8 In performing the duty, the authority shall present the identity card to the persons concerned.

Such identity card of the authority shall be in accordance with the form prescribed by the Minister and published in the Government Gazette.

Section 9 The operator and persons concerned with the public places shall reasonably facilitate the authority performing the duty under Section 7.

Section 10 In executing this Act, the authority shall be the officers under the Penal Code.

Section 11 Any operator failing to comply with Section 5 (1) shall be subject to a fine not exceeding twenty thousand baht.

Section 12 Any person violating Section 6 shall be subject to a fine not exceeding two thousand baht.

Section 13 Any person obstructing or failing to facilitate the authority performing the duty under Section 7 shall be subject to an imprisonment not exceeding one month or a fine not exceeding two thousand baht or both.

Section 14 The competent inquiring officer inquiring a case shall have the power to effect the fine in accordance with the Criminal Procedure Code.

Section 15 The Minister of the Ministry of Public Health shall take charge of this Act and shall have the power to appoint the authorities as well as to prescribe the announcements for the execution of this Act. Such announcements shall enter into force after their publication in the Government Gazette.

Countersigns by

Anand Punyarachun

(Mr. Anand Punyarachun)

Prime Minister

Notes: The reason for the promulgation of this Act is that it is recognized among the physicians that cigarette smoke causes several harms to the health of smokers and non-smokers alike such as lung cancer or cancer of other organs and Coronary Artery Thrombosis. Cigarette smoke also aggravates the symptom of certain diseases such as chronic bronchitis or allergies. Moreover, it is proved that the non-smokers inhaling such cigarette smoke of other persons suffer health deterioration the same way as cigarette smokers do especially in case where the inhaling persons of such cigarette smoke are children. It is therefore expedient to protect the health of non-smokers against the cigarette smoke in the public places by prohibiting cigarette smoking in certain places or by designating specific smoking area or otherwise. It is therefore necessary to promulgate this Act.

Vol. 109 Section 40 Government Gazette, April 7, 1992

Royal Command
TOBACCO PRODUCTS CONTROL ACT B.E. 2535 (1992)
BHUMIBOL ADULYADEJ, REX.

Given on the 29th day of March B.E.2535

Being the 47th year of the Present Reign

His Majesty King Bhumibol Adulyadej has been graciously pleased to proclaim that:

Whereas it is expedient to promulgate the law on control of tobacco products;

Be it therefore enacted by the King, by and with the advice and consent of the National Assembly acting as the Parliament as follows:

Section 1 This Act is called the "Tobacco Products Control Act B.E. 2535".

Section 2 This Act shall enter into force after the period of one hundred and twenty days as from the date of publication in the Government Gazette.

Section 3 In this Act

"Tobacco product" means the tobacco under the law on tobacco and any other product composed of tobacco leaves or nicotiana tabacum plant to be used either by smoking, sucking, sniffing, munching, eating, blowing or spraying into the mouth or nose or by other means in order to obtain the same result.

"Package" means a pack, carton or other packages used to wrap or contain the tobacco products.

"Advertising" means an act undertaken by any means to allow the public to see, hear or know the statement for commercial interest.

"Authority" means a person appointed by the Minister to execute this Act. "Minister" means the Minister taking charge of this Act.

Section 4 No person shall be allowed to dispose of, sell, exchange or give the tobacco products to a person whom is known to the former that the buyer or receiver does not attain eighteen full years of age.

Section 5 No person shall be allowed to sell the tobacco products by vending machines.

Section 6 No person shall be allowed to do any of the following acts:

(1) To sell goods or render services with the distribution, addition, gift of tobacco products or exchange with the tobacco products as the case may be;

(2) To sell the tobacco products with the distribution, addition, gift of or exchange with other goods or services;

(3) To give or offer the right to attend the games, shows, services or any other benefit as a consideration to the buyer of tobacco products or a person bringing the package of tobacco products for exchange or redemption therefore.

Section 7 No person shall be allowed to distribute the tobacco products as a sample of the tobacco products so as to proliferate such tobacco products or to persuade the public to consume such tobacco products except for a customary gift.

Section 8 No person shall be allowed to advertise the tobacco products or exposing the name or mark of the tobacco products in the printed matters, via radio broadcast, radio, television or any other advertise able thing or to use the name or mark of the tobacco products in the shows, games, services or any other activity the objective of which is to let the public to understand that the name or mark belongs to the tobacco products. The provisions of paragraph one does not apply to the live broadcast from abroad via radio or television and the advertisement of the tobacco products in the printed matters printed outside the Kingdom without the objective to dispose of specifically in the Kingdom.

Section 9 No person shall be allowed to advertise the goods using the name or mark of the tobacco products as a mark of such goods in such a manner as to make such a mark to be understood as that of the tobacco products.

Section 10 No person shall be allowed to manufacture, import for sale or general distribution or advertise any other goods having such an appearance as to be understood as an imitation of such tobacco products

as cigarettes or cigars under the law on tobacco or of the package of the said products.

Section 11 The tobacco to be sold shall have the composition in accordance with the standards prescribed in the Ministerial Rules. The manufacturer or importer of the tobacco products shall have a duty to inform the Ministry of Public Health of the particulars of composition of the tobacco products in accordance with the criteria, procedures and conditions prescribed in the Ministerial Rules. In case where the composition of any product does not comply with the standards prescribed in paragraph one, the Minister shall have the power to order the prohibition of sale or import of such tobacco product.

Section 12 The manufacture or importer of the tobacco products must exhibit the labels on the packages of tobacco products before moving out of the manufacturing site or before importation into the Kingdom as the case may be.

The criteria, procedures and conditions of exhibition of such labels and the statements therein shall be in accordance with those published in the Government Gazette by the Minister.

Section 13 No person shall be allowed to sell the tobacco products without exhibition of the labels as provided for in Section 12 on the packages of such tobacco products.

Section 14 In performing the duties under this Act, the authority shall have the power to

- (1) enter any place during sunrise and sunset or working hours of such place or enter any vehicle which in order to search in case where there is reasonable ground to suspect that the offenses hereunder have been committed;
- (2) take reasonable quantity of the tobacco products as a sample for inspection;
- (3) issue an inquiring letter or summon any person for interrogation or submission of the accounts, documents, evidence or other items required for consideration.

In performing the duties under paragraph one, the persons concerned shall reasonably accord facilitation therefore.

Section 15 In performing the duties under this Act, the authority shall present the identity card to the persons concerned.

Such identity cards of the authority shall be in accordance with the form prescribed in the Ministerial Rules.

Section 16 In performing the duties under this Act, the authority shall be the officers under the Penal Code.

Section 17 Any person violating Section 4 or Section 5 shall be subject to an imprisonment not exceeding one month or a fine not exceeding two thousand baht or both.

Section 18 Any person violating Section 6, Section 7, Section 9 or Section 10 shall be subject to a fine not exceeding twenty thousand baht.

Section 19 Any person violating Section 8 paragraph one shall be subject to a fine not exceeding two hundred thousand baht.

Section 20 Any manufacturer or importer failing to inform the particulars or informing incomplete particulars or informing false particulars or selling or importing the tobacco products in violation of Section 11 shall be subject to an imprisonment not exceeding six months or a fine not exceeding one hundred thousand baht or both.

Section 21 Any manufacturer or importer violating Section 12 shall be subject to a fine not exceeding one hundred thousand baht.

Section 22 Any person violating Section 13 shall be subject to a fine not exceeding twenty thousand baht.

Section 23 Any person obstructing or failing to accord facilitation to the authority in performing the duties under Section 14 shall be subject to an imprisonment not exceeding one month or a fine not exceeding ten thousand baht or both.

Section 24 In case where the violation of Section 4, Section 5, Section 6, Section 7, Section 8 paragraph one, Section 9, Section 10, or Section 13 is the manufacturer or importer, the violator shall be subject to the penalty twice that provided for such offenses.

Section 25 In case where the offender who is subject to the penalty hereunder is a juristic person, the managing director or a person responsible for the operation of such juristic person shall also be subject

to the penalty provided for by law for such offenses unless it is proved that the action of such juristic person is committed without the knowledge or approval of such managing director or responsible person.

Section 26 The Minister of the Ministry of Public Health shall take charge of this Act and shall have the power to appoint the authority and to prescribe the Ministerial Rules for the execution of this Act.

Countersigned by

Anand Punyarachun

Prime Minister

Notes: The reason for the promulgation of this Act is that at present it is recognized among the physicians that the tobacco products cause fatal diseases to the consumers as well as affect the fetus in case where the consumers are pregnant and also have adverse effect on the persons nearby. However, at present there exists no law to exclusively control the tobacco products thereby proliferating the advertisement and promotion of the sale of tobacco products by various means especially among the juveniles who are the significant resources of the nation which creates a serious obstacle for the prevention of diseases caused by the consumption of tobacco products and for the maintenance of health of the public. It is therefore necessary to promulgate this Act.

**Notification of the Ministry of Public Health (No.10) B.E. 2549
(A.D. 2006)**

**Re: Criteria, Procedures and Conditions for Displaying the Name of
Toxic and Carcinogenic**

**Substances on Labels of Cigarettes Issued under the Tobacco
Products Control Act B.E. 2535**

By virtue of Section 12 of the Tobacco Products Control Act B.E. 2535 (A.D. 1992) which is a law containing certain provisions in relation to the restriction of rights and liberties of persons, in respect of which Section 29 in conjunction with Section 50 of the Constitution of the Kingdom of Thailand so permitted by virtue of the provisions of law, the Minister of the Ministry of Public Health hereby issues a Notification as follows:

Article 1. Tobacco products of a cigarette type that are manufactured or imported in the Kingdom shall be provided with labels printed with text displaying the names of emitted toxic and carcinogenic substances (emission products) from the combustion of said manufactured or imported cigarettes namely:-

- 1.1 Toxic substance
 - 1.1.1 Carbon monoxide
 - 1.1.2 Hydrogen cyanide
- 1.2 Carcinogenic substance
 - 1.2.1 Tar
 - 1.2.2 Formaldehyde
 - 1.2.3 Nitrosamine

Article 2. The manufacturer or importer of cigarettes shall print labels displaying the names of toxic and carcinogenic substances emitted from the combustion of cigarettes as specified in Clause 1 on the area of the cigarette pack, the cigarette box or the cigarette pack or carton paper wrap namely:-

2.1 On both sides of the cigarette pack covering a medium area with one side being printed with the name of a toxic substance and the

other side being printed with the name of a carcinogenic substance. The printed area shall not be less than 50 percent of the area of each side.

The display of the names of toxic and carcinogenic substances which is required to be placed at the lateral region of the cigarette pack or the cigarette carton of which maximum side area is between 42-50 square centimeters shall be printed in Thai letters with white ink on a black background having an approximate size of 2 x 4.25 centimeters in accordance with the specified templates as attached hereto from the template CD provided by the Department of Disease Control, Ministry of Public Health only.

2.2 On both sides of the cigarette box or the cigarette pack or carton paper wrap covering a medium area with one side being printed with the name of a toxic substance and the other side being printed with the name of a carcinogenic substance. The printed area shall not be less than 50 percent of the area of each side.

The display of the names of toxic and carcinogenic substances which is required to be placed at the lateral region of the cigarette box or the cigarette pack or carton paper wrap whose maximum side area is between 235-240 square centimeters and whose minimum side area is between 117-120 square centimeters shall be printed in Thai letters with white ink on a black background having an approximate size of 4.5 x 13.5 centimeters in accordance with the specified templates as attached hereto from the template CD provided by the Department of Disease Control, Ministry of Public Health only.

2.3 In cases where the cigarette pack or carton has a size larger or smaller than the size specified in Clause 2.1 or in cases where the box or the cigarette pack or carton paper wrap has a size larger or smaller than the size specified in Clause 2.2, the size of the label displaying the names of toxic and carcinogenic substances shall be enlarged or reduced in accordance with the actual proportion.

Article 3. In cases where the cigarette pack or carton is not of a rectangular shape, the display of the emission products as specified in Clause 1 in respect of the part of toxic and carcinogenic substances shall be placed oppositely on respective areas not less than 900 square centimeters in a position that can be clearly noticed by people. The

display shall be normally placed at the bottom of the non-rectangular shaped cigarette pack or carton.

In cases where the cigarette box or the cigarette pack or carton paper wrap is not of a rectangular shape, the display of the emission products as specified in Clause 1 in respect of the part of toxic and carcinogenic substances shall be placed oppositely on respective areas not less than 1,800 square centimeters in a position that can be clearly noticed by people. The display shall be normally placed at the bottom of the non-rectangular shaped cigarette box or the cigarette pack or carton paper wrap.

Clause 4. In execution, the provisions of Clauses 2 and Clause 3 shall not apply to cigarettes manufactured or imported for the purpose of distribution out of the Kingdom of Thailand or imported as samples for testing, analysis and research with particulars of import being clearly stated for such purpose.

Clause 5. Cigarettes that have been manufactured or imported in the Kingdom of Thailand prior to the effective date of this Notification shall be exempt from the display of labels under this Notification, but this shall not exceed 180 days from the effective date of this Notification.

Clause 6. In case of problems arising from the execution of this Notification, it shall be finally settled and decided by the Director-General of the Department of Disease Control.

Clause 7. This Notification shall become effective after the expiration of 180 days on the day following the date of its publication in the Government Gazette.

Notified on this 24th day of August, B.E. 2549 (A.D. 2006)

Pinit Jarusombat

(Mr.Pinit Jarusombat)

Minister of the Ministry of Public Health

**Templates for Printing the Names of Toxic and
Carcinogenic Substances**

**Attached to the Notification of the Ministry of Public Health No. 10
B.E. 2549 (A.D. 2006)**

1. Use with the cigarette pack or carton

Emitted Toxic substance

Hydrogen cyanide

Carbon monoxide

Carcinogenic substance

Formaldehyde, Tar,

Nitrosamine

2. Use with the cigarette box or the cigarette pack or carton paper
wrap

Emitted Toxic substance

Hydrogen cyanide

Carbon monoxide

Carcinogenic substance

Formaldehyde, Tar,

Nitrosamine

Vol. 123 Special Section 101 Ngor, Government Gazette, September 29,
2006

**Notification of the Ministry of Public Health (No.11) B.E. 2549
(A.D. 2006)**

**Re : Criteria, Procedures and Conditions for Displaying Pictures and
Statements Relating to Warning on Harm; Date, Month and Year of
Manufacture; Manufacturing Source and Sale Only in the Kingdom
of Thailand on Labels of Cigarettes and Cigars
Issued under the Tobacco Products Control Act B.E. 2535**

By virtue of Section 12 of the Tobacco Products Control Act B.E. 2535 (A.D. 1992) which is an act containing certain provisions in relation to the restriction of rights and liberties of persons, in respect of which Section 29 in conjunction with Section 50 of the Constitution of the Kingdom of Thailand so permitted by virtue of the provisions of law, the Minister of the Ministry of Public Health hereby issues a Notification as follows:

Article 1. The Notification of the Ministry of Public Health (No. 8) B.E.2547 (A.D. 2004) Re : Criteria, Procedures and Condition for Displaying Labels and Statements on Labels of Cigarettes under the Tobacco Products Control Act B.E. 2535 (A.D. 1992) shall be repealed.

Article 2. Cigarettes or cigars, manufactured in or imported in the Kingdom, shall be provided with labels printed with pictures and statements of warning on the harm of cigarettes wherein the picture shall be printed in 4 colors and display a statement of warning on the harm of cigarettes as specified. The picture and the statement of warning on the harm of cigarettes shall be placed at the top edge of the cigarette/cigar pack or carton and the cigarette/cigar box or the cigarette/cigar pack or carton paper wrap on both sides covering the maximum area that can be clearly seen.

The pictorial labels and the statements of warning on the harm of cigarettes as specified in paragraph one shall be any of the assortment of 9 types of pictorial labels and statements of warning on the harm of cigarettes printed with a ratio of 1 type to 5,000 cigarette/cigar packs or cigarette/cigar cartons and with a ratio of 1 type to 500 cigarette/cigar boxes or cigarette/cigar pack or carton paper wraps as the case may be.

All these 9 types of pictorial labels and statements of warning on the harm of cigarettes shall be of a size of 5.5 x 4.25 centimeters in accordance with the templates of pictorial label and statements of warning on the harm of cigarettes and printed in 4 colors pictures as attached here to.

The 9 types of templates of pictures and warning statements are as follows:

- Type 1. Picture with warning statement “Cigarette Smoke Harms People Nearby”
- Type 2. Picture with warning statement “Smoking Causes Your Breath to Smell”
- Type 3. Picture with warning statement “Smoking Causes Fatal Emphysema”
- Type 4. Picture with warning statement “Smoking Causes Lung Cancer”
- Type 5. Picture with warning statement “Cigarette Smoke Causes Fatal Heart Failure”
- Type 6. Picture with warning statement “Cigarette Smoke Leads Your Life to Death”
- Type 7. Picture with warning statement “Smoking Causes Oral Cancer”
- Type 8. Picture with warning statement “Smoking Causes Laryngeal Cancer”
- Type 9. Picture with warning statement “Cigarette Smoke Causes Hemorrhagic Stroke”

In carrying out the printing of pictorial labels and statements of warning on the harm of cigarettes, the manufacturer or importer of cigarettes or cigars shall print them from the template CD provided by the Department of Disease Control, Ministry of Public Health only. In this regard, the size and the position of the letters, the warning statement including the picture shall conform to those appear in the templates.

The provisions of paragraphs one, two and three shall not apply to colorless and transparent materials used to wrap cigarette/cigar packs and to the boxes or cigarette/cigar pack or carton paper wraps on which the pictorial labels and the statements of warning on the harm of cigarettes can be clearly seen.

Article 3. The printing of the pictorial label and statement of warning on the harm of cigarettes on cigarette/cigar pack or carton under Clause 2 shall be carried out as follows:

(1) An area size on both sides shall not be less than 50 percent of the side of the cigarette/cigar pack or carton having the maximum area.

(2) The size of the pictorial label and the statement of warning on the harm of cigarettes under paragraph three of Clause 2 shall apply to cigarette/cigar packs or cartons having areas on the front face or the back face of the cigarette/cigar pack or carton between 42-50 square centimeters.

(3) For cigarette/cigar packs or cartons that have areas smaller or larger than 42-50 square centimeters, the pictorial label and the statement of warning on the harm of cigarettes as specified in paragraph three of Clause 2 shall be reduced or enlarged in accordance with the proportion of the width and length of the pictorial label and the statement of warning on the harm of cigarettes. In this regard, the area on both sides shall not be less than 50 percent of the side of the cigarette/cigar pack or carton having the maximum area. The pictorial label and the statement of warning on the harm of cigarettes shall be at the top edge, adjacent to the left side of the cigarette/cigar pack or carton

Article 4. In cases where the cigarette/cigar pack or carton is not of a rectangular shape, there shall be the printing of the pictorial label and the statement of warning on the harm of cigarettes. The pictorial label and the statement of warning on the harm of cigarettes shall be printed on the cigarette/cigar pack or carton in accordance with the templates specified in paragraph three of Clause 2. The pictorial labels and statements of warning on the harm of cigarettes shall be present not less than 2 pictures per one pack or carton of cigarettes or cigars covering an area not less than 50 percent of the area of the cigarette/cigar pack or carton of a non-rectangular shape at the position adjacent to the top edge.

Article 5. In respect of cigarette/cigar boxes or the cigarette/cigar pack or carton paper wraps with a size between 235 to 240 square centimeters, the pictorial label and the statement of warning on the harm of cigarettes shall be printed with a size equal to that printed on the cigarette/cigar pack or carton and are displayed on the cigarette/cigar box or the cigarette/cigar pack or carton paper wrap in a consecutive order

from the top edge of the side with the maximum area on both sides, each side with 5 pictures.

For cigarette/cigar boxes or cigarette/cigar pack or carton paper wraps with areas greater or less than that stated in paragraph one, the pictorial label and the statement of warning on the harm of cigarettes shall be printed on both sides in number equal to the number of cigarette/cigar packs or cartons in the box or in the paper wrap by displaying them on the top left edge. In cases where the area on the top left edge is not sufficient for printing the pictorial label and the statement of warning on the harm of cigarettes as specified, the pictorial label shall be printed on the remaining area of the cigarette/cigar box or the paper wrap of cigarette/cigar packs or cartons correspondingly to the entire number of cigarette/cigar packs or cartons in the box or in the paper wrap.

Article 6. Cigarettes or cigars, manufactured or imported in the Kingdom, shall be dealt with as follows:

(1) Provision of statements showing the date, month and year of manufacture on either lateral region of the cigarette/cigar pack or carton other than the area specified for displaying the names of toxic or carcinogenic substances.

(2) Provision of statements showing the source of cigarettes or cigars in respect of whether they are manufactured domestically or in what country on the front area adjacent to the lower edge of the cigarette/cigar pack or carton and the cigarette/cigar box or the cigarette/cigar pack or carton paper wrap.

(3) Provision of a statement showing “For Sale in the Kingdom of Thailand” on the back face adjacent to the lower edge of the cigarette/cigar pack or carton and the cigarette/cigar box or the cigarette/cigar pack or carton paper wrap.

The statements under paragraph one shall be displayed in Thai using “Si Phraya” font or similar fonts of not less than 10 points for cigarette/cigar packs or cartons and not less than 30 points for cigarette/cigar boxes or cigarette/cigar pack or carton paper wraps. The letters shall be printed in black on a white background bordered by a

black frame or if the label background is black, white letters shall be used without a bordered frame.

Article 7. Cigarettes or cigars manufactured for distribution out of the Kingdom or imported for distribution out of the Kingdom or imported as samples for testing, analysis and research with particulars of manufacture or import being clearly stated for such purpose shall be exempt from complying with this Notification.

Article 8. Cigarettes or cigars that have been manufactured or imported in the Kingdom of Thailand prior to the effective date of this Notification shall be exempt from the display of labels under this Notification, but this shall not exceed 180 days from the effective date of this Notification.

Article 9. This Notification shall become effective in 180 days from the from the day following the date of its publication in the Government Gazette.

Notified on this 24th day of August, B.E. 2549 (A.D. 2006)

Pinit Jarusombat

(Mr.Pinit Jarusombat)

Minister of the Ministry of Public Health

Vol. 123 Special Section 101 Ngor, Government Gazette September 29, 2006

**Templates of pictures and warning statements
Attached to the Notification of the Ministry of Public
Health No. 11 B.E. 2549 (A.D. 2006)**



Type 1
Cigarette Smoke Harms People Nearby



Type 2
Smoking Causes Your Breath to Smell



Type 3
Smoking Causes Fatal Emphysema



Type 4
Smoking Causes Lung Cancer



Type 5
Cigarette Smoke Causes Fatal Heart Failure



Type 6
Cigarette Smoke Leads Your Life to Death



Type 7
Smoking Causes Oral Cancer



Type 8
Smoking Causes Laryngeal Cancer



Type 9
Cigarette Smoke Causes Hemorrhagic Stroke

**Notification of the Ministry of Public Health (No.12) B.E. 2549
(A.D. 2006)**

Re : Criteria, Procedures and Conditions for Displaying

**Words or Statements that May Cause Misunderstanding on Labels of
Cigarettes, Cigars and Tobacco Issued under the Tobacco Products
Control Act B.E. 2535**

By virtue of Section 12 of the Tobacco Products Control Act B.E. 2535 (A.D. 1992) which is a law containing certain provisions in relation to the restriction of rights and liberties of persons, in respect of which Section 29 in conjunction with Section 50 of the Constitution of the Kingdom of Thailand so permitted by virtue of the provisions of law, the Minister of the Ministry of Public Health hereby issues a Notification as follows:

Article 1. For cigarettes, cigars or tobacco, manufactured or imported into the Kingdom of Thailand, labels printed on the packs or cartons of cigarettes, cigars or tobacco and on the cigarette/cigar/tobacco boxes or on the cigarette/cigar/tobacco pack or carton paper wraps shall not contain the words “Mild, Medium, Light, Ultra Low Tar or words, statements conveying similar meanings that may mislead consumers to perceive that they are safe or contain toxic substances in quantities lower than general cigarettes.

The word “statement” under paragraph one shall include an act that results in the presentation of letters, symbols or pictures that may cause the general public to perceive such meanings.

Article 2. Cigarettes, cigars or tobacco that have been manufactured or imported for distributed out of the Kingdom of Thailand, or manufactured or imported as sample for testing, analysis and research with particulars of manufacture or import being clearly stated for such purpose shall be exempt from complying with this Notification.

Article 3. Cigarettes, cigars or tobacco that have been manufactured or imported in the Kingdom of Thailand for distribution in the Kingdom prior to the effective date of this Notification shall be exempt from complying with this Notification, but this shall not exceed 180 days from the effective date of this Notification.

Article 4. This Notification shall become effective after the expiration of 180 days on the day following the date of its publication in the Government Gazette.

Notified on this 31st day of August, B.E. 2549 (A.D. 2006)

Pinit Jarusombat

(Mr.Pinit Jarusombat)

Minister of the Ministry of Public Health

Vol. 123 Special Section 101 Ngor, Government Gazette, September 29.
2006

**Notification of the Ministry of Public Health (No. 13) B.E. 2550
(A.D. 2007)**

**Re: Criteria, Procedures and Conditions for Displaying Pictorial
Labels and Statements of Warning on Harm of Cigars
Issued under the Tobacco Products Control Act B.E. 2535
(A.D. 1992)**

Whereas it is appropriate to display pictorial labels and statements of warning on the harm of tobacco.

By virtue of Section 12 of the Tobacco Products Control Act B.E. 2535 (1992), the Minister of the Ministry of Public Health hereby issues a Notification as follows:

Article 1. Displaying the pictorial labels and the statements of warning on the harm of cigars shall be the exemption of the Notification of the Ministry of Public Health (No. 11) B.E.2549 (A.D. 2006) Re : Criteria, Procedures and Conditions for Displaying Pictures and Statements Relating to Warning on Harm; Date, Month and Year of Manufacture; Manufacturing Source and Sale Only in the Kingdom of Thailand on Labels of Cigarettes and Cigars Issued under the Tobacco Products Control Act B.E. 2535, Date August 24, B.E. 2549 (A.D. 2006), and shall be, as a substitute, in conformity with this Notification.

Article 2. Cigars manufactured in or imported in the Kingdom, shall be provided with labels printed with pictures and statements of warning on the harm of cigar wherein the picture shall be printed in 4 colors

The pictorial labels and the statements of warning on the harm of cigar as specified in paragraph one shall be any of the assortment of 5 types of pictorial labels and statements of warning on the harm of cigar printed with a ratio of 1 type to 50 cigar cartons.

- Type 1. Picture with warning statement “Smoking Causes Your Breath to Smell”
- Type 2. Picture with warning statement “Smoking Causes Lung Cancer”
- Type 3. Picture with warning statement “Cigar Smoke Leads Your Life to Death”

Type 4. Picture with warning statement “Smoking Causes Oral Cancer”

Type 5. Picture with warning statement “Smoking Causes Laryngeal Cancer”

In carrying out the printing of pictorial labels and statements of warning on the harm of cigars, the manufacturer or importer of cigars shall produce such labels and statements by referring to the template CD provided by the Department of Disease Control, Ministry of Public Health only. In this regard, the size and the position of the pictorial labels and the statements of warning on the harm of cigars shall conform to those appeared in the templates, whereby it is admissible to adjust the size there of as appropriate without a change of the ration of horizontal to vertical dimensions.

The provisions of paragraphs one, two, three and four shall not apply to colorless and transparent materials used to wrap cigar carton on which the pictorial labels and the statements of warning on the harm of cigarettes can be clearly seen.

Article 3. The printing of the pictorial label and statement of warning on the harm of cigars on cigar carton under Clause 2 shall be carried out as follows:

(1) In cases where the cigar carton is of a rectangular shape with total area of all carton sides not cigars shall be on both sides covering the area, on each side, no less than 50 percent of the side having the maximum area.

(2) In a case where the cigar carton is of rectangular shape with total are of all carton sides exceeding 350 square centimeters, the pictorial labels and the statements of warning on the harm of cigars shall be on both sides covering the area, on each side, no less than 50 percent of the side having the maximum area In a case where the side of the maximum area is attributively of the lower part of the tobacco carton, it is admissible to display pictorial labels and the statements of warning on the harm of tobacco on the side of the second-largest area thereof. In a case where the side of the maximum area is attributively is of the lower part of the cigar carton, it is admissible to display pictorial labels and the statements of warning on the harm of cigars on the side of the second-largest area thereof. In a case where the said side of the second-largest area is attributively the front and the back sides, the pictorial labels and

the statements of warning on the harm of cigars shall be on the front side only.

(3) In a case where the cigar carton is of the shape other than as specified in (1) and (2), the pictorial labels and the statements of warning on the harm of cigars shall cover the area no less than 30 percent of the total area of the tobacco carton.

Regarding the displaying of the pictorial labels and the statements of warning on the harm of cigars, only 1 pictorial label is required to be displayed on one side. In case of any predicament in execution hereunder, Clause 7 shall be advised and prevailed.

The pictorial labels and the statements of warning on the harm of cigars, according to the paragraph one and two, shall be displayed in the same area, in the adjacency and continuity manners, and clearly seen without ambiguity meaning.

Article 4. The pictorial labels and the statements of warning on the harm of cigars shall be printed permanently on the cigar carton or on any materials wrapping the cigar carton and not be easily peeled off or destroyed.

Article 5. Cigars that have been manufactured in or imported into the Kingdom of Thailand on and after the effective date of this Notification shall be exempt from the display of pictorial labels and the statements of warning on the harm of cigars under this Notification, but this shall not exceed 180 days from the effective date of this Notification.

Article 6. Cigars that have been manufactured in or import for sale out of the Kingdom of Thailand, or manufactured or imported as samples for testing, analysis and research with particulars of manufacture or import being clearly stated for such purpose shall be exempt from complying with this Notification.

Article 7. In case of problems arising from the execution of this Notification, it shall be finally settled and decided by the Director-General of the Department of Disease Control.

This shall come in to effect from March 28, B.E. 2550 (A.D.2007).

Notified on this May 30th of, B.E. 2550 (A.D. 2007)

Mongkol Na Songkla

(Mr. Mongkol Na Songkla)

Minister of the Ministry of Public Health

**Templates of pictures and warning statements
Attached to the Notification of the Ministry of Public
Health No. 13 B.E. 2550 (A.D. 2007)**



Type 1
Smoking Causes Your Breath to Smell



Type 2
Smoking Causes Lung Cancer



Type 3
Cigar Smoke Leads Your Life to Death



Type 4
Smoking Causes Oral Cancer



Type 5
Smoking Causes Laryngeal Cancer

Notification of the Ministry of Public Health B.E. 2550 (A.D. 2007)

**Re: Criteria, Procedures and Conditions for Displaying Pictorial
labels and Statements of Warning on Harm of Tobacco
Issued Under the Tobacco Products Control Act B.E.2535
(A.D. 1992)**

Whereas it is appropriate to display pictorial labels and statements of warning on the harm of tobacco.

By virtue of Section 12 of the Tobacco Products Control Act B.E. 2535 (1992), the Minister of the Ministry of Public Health hereby issues a Notification as follows:

Article 1. Tobacco, manufactured in or imported into the Kingdom, shall be provided with the pictorial labels and the statements of warning on the harm of tobacco wherein the picture shall be printed in black-and-white color in accordance with the template as attached hereto and provided by the Department of Disease Control, Ministry of Public Health as follows.

Type 1 Picture with warning statement “Smoking Causes
Laryngeal Cancer”

Type 2. Picture with warning statement “Cigarette Smoke Causes
Lung Cancer”

The pictorial labels and the statements of warning on the harm of tobacco shall be printed with a ratio of 1 type to 500 tobacco cartons in assortment.

The provisions of paragraphs one and two shall not apply to colorless and transparent materials used to wrap tobacco cartons on which the pictorial labels and the statements of warning on the harm of tobacco can be clearly seen.

It is admissible to adjust the size of pictorial labels and the statements of warning on the harm of tobacco as appropriate without a change of the ratio of horizontal to vertical dimensions.

Article 2. The production of the pictorial label and statements of warning on the harm of tobacco on tobacco cartons under Clause 1 shall be carried out as follows.

(1) In a case where the tobacco carton is of a pack, packet, or other container configuration with rectangular shape and total area of all carton sides not exceeding 350 square centimeters, the pictorial labels and the statements of warning on the harm of tobacco shall be on both sides covering the area, on each side, no less than 50 percent of the combined area of both sides or of the side having the maximum area for the carton with more than two sides.

(2) In a case where the tobacco carton is of a pack, packet, or other container configuration with rectangular shape and total area of all carton sides not exceeding 350 square centimeters, the pictorial labels and the statements of warning on the harm of tobacco shall be on both sides covering the area, on each side, no less than 50 percent of the combined area of both sides or of the side having the maximum area for the carton with more than two sides. In a case where the side of the maximum area is attributively of the lower part of the tobacco carton, it is admissible to display pictorial labels and the statements of warning on the harm of tobacco on the side of the second-largest area thereof. In a case where the said side of the second-largest area is attributively the front and the back sides, the pictorial labels and the statements of warning on the harm of tobacco shall be on the front side only.

(3) In a case where the tobacco carton is of the shape other than as specified in (1) and (2), the pictorial labels and the statements of warning on the harm of tobacco shall cover the area no less than 30 percent of the total area of the tobacco carton.

Regarding the displaying of the pictorial labels and the statements of warning on the harm of tobacco, only 1 pictorial label is required to be displayed on one side. If it is unattainable to adjust the displaying thereof without a change of the ratio of horizontal to vertical dimensions as specified in the paragraph four of Clause 1, 2 sets of pictorial label and the statement of warning on the harm of tobacco may be displayed on each side.

The pictorial labels and the statements of warning on the harm of tobacco, according to the paragraph one and two, shall be displayed in the same area, in the adjacency and continuity manners, and clearly seen without ambiguity meaning.

Article 3. The pictorial labels and the statements of warning on the harm of tobacco shall be printed permanently on the tobacco carton or on any materials wrapping the tobacco carton and not be easily peeled off or destroyed.

Article 4. Tobacco that have been manufactured in or imported into the Kingdom of Thailand prior to the effective date of this Notification shall be exempt from the display of pictorial labels and the statements of warning on the harm of tobacco under this Notification, but this shall not exceed 180 days from the effective date of this Notification.

Article 5. Cigars that have been manufactured in or imported into the Kingdom of Thailand for the purpose of selling outside the Kingdom of Thailand, or manufactured or imported as samples for testing, analysis and research with particulars of manufacture or import being clearly stated for such purpose shall be exempt from complying with this Notification.

Article 6. In case of problems arising from the execution of this Notification, it shall be finally settled and decided by the Director-General of the Department of Disease Control.

Article 7. This Notification shall come into force after one hundred and eighty days following the date of its publication in the Government Gazette.

Notified on this May 30th of, B.E. 2550 (A.D. 2007)

Mongkol Na Songkla

(Mr. Mongkol Na Songkla)

Minister of the Ministry of Public Health

**A template of pictorial label and statement of warning
on the harm of tobacco,
attached to the Notification of the Ministry of Public Health
B.E. 2550 (2007)**



Type 1
Smoking Causes Laryngeal Cancer



Type 2
Cigarette Smoke Causes Lung Cancer

**Notification of the Ministry of Public Health (No.15) B.E. 2548
(A.D. 2005)**

Re: Designation of Signs for Smoking and Non-Smoking Area

By virtue of Section 3 (4) and Section 15 of the Protection of Non-Smoker's Health Act B.E. 2535 (A.D. 1992) which is the Act containing certain provisions in relation to the restriction of rights and liberties of persons, in respect of which section 29 in conjunction with Section 31, Section 35, Section 48, and Section 50 of the Constitution of the Kingdom of Thailand so permitted by virtue of the provisions of law, the Minister of Public Health hereby issues a Notification as follows:

Clause 1. The Notification of the Ministry of Public Health (No. 8) B.E.2540 (A.D. 1997) Re : Designation of Signs for Smoking and Non-Smoking Area, dated October 15, 1997, shall be repealed.

Clause 2. The sign of smoking area shall be displayed in a circle of white background of no less than 10 centimeter diameter with a blue parameter of no less than 1 centimeter wide and shall have a picture of a cigarette with black smoke in the center. The width of the cigarette shall equal the width of the blue parameter.

The smoking area sign may be a permanent post, hanging post, desktop post, or adhesive post.

Clause 3. The sign of non-smoking area shall be as follows.

(1) Provided that the non-smoking sign is posted at the entrance of any smoking-prohibited public areas which reside in buildings or tenements, such non-smoking sign shall be displayed in a circle of white background of no less than 10 centimeter diameter with a red parameter of no less than 1 centimeter wide and shall have a picture of a cigarette with black smoke in the center crossed by a red bar. The width of the cigarette and the red bar across the cigarette shall equal the width of the red parameter. Under the circle sign, there shall be a phrase "No Smoking, Violation is subject to 2,000 baht fine".

The smoking area sign may be a permanent post, hanging post, or adhesive post.

(2) Provided that the non-smoking sign is posted in the smoking-prohibited public areas which reside in buildings or tenements, such non-

smoking sign shall be displayed in a circle of white background of no less than 5 centimeter diameter with a red parameter of no less than 0.5 centimeter wide and shall have a picture of a cigarette with black smoke in the center crossed by a red bar. The width of the cigarette and the red bar across the cigarette shall equal the width of the red parameter. On the sign, there may be a phrase “No Smoking, Violation is subject to 2,000 baht fine” in Thai language, English language, or both.

The smoking area sign may be a permanent post, hanging post, desktop post, or adhesive post.

(3) Provided that the non-smoking sign is posted in the smoking-prohibited public areas other than the places as specified in (1) and (2), such non-smoking sign shall be displayed in a circle of white background of no less than 10 centimeter diameter with a red parameter of no less than 1 centimeter wide and shall have a picture of a cigarette with black smoke in the center crossed by a red bar. The width of the cigarette and the red bar across the cigarette shall equal the width of the red parameter. Under the circle sign, there shall be a phrase “No Smoking, Violation is subject to 2,000 baht fine”.

The smoking area sign may be a permanent post, hanging post, or adhesive post.

Clause 4. The signs as stipulated in Clause 2 and Clause 3 shall be clearly and conspicuously posted in the areas as follows.

(1) The smoking signs as stipulated in Clause 3 shall be posted at the entrance of and within the zone allocated for smoking.

(2) The non-smoking signs as stipulated in Clause 3(1) shall be posted at every entrance of the smoking-prohibited public areas.

(3) The non-smoking signs as stipulated in Clause 3(2) and (3) shall be conspicuously posted where they are easily visible to people as deemed appropriate to such particular places.

Clause 5. In a case where the non-smoking area is entered not only by Thai people, the operator of such place may arrange posting of non-smoking signs as stipulated in 3(1), (2) and (3) consisting of a phrase “No Smoking, Violation is subject to 2,000 baht fine” in English or other language as deemed appropriate, whereby Thai language may be

arranged to accompany the English or other language as well. In a case where only English or other language is printed on the non-smoking sign, the operator of such place shall post a certain number of non-smoking sign with a phrase “No Smoking, Violation is subject to 2,000 baht fine” in Thai language in such place as well.

Clause 6. This Notification shall become effective after ninety days following the date of its publication in the Government Gazette.

Notified on this 30th day of December, B.E. 2548 (A.D. 2005)

Mr. Pinit Jarusombat

Minister of Public Health

**Notification of the Ministry of Public Health (No.17) B.E. 2549
(A.D. 2006)**

**Re : Designating Names of Categories of Public Places Where There
Must be Provided Non-Smoker's Health Protection, and Designating
Any or All Parts of Said Public Places as Smoking Area of Non-
Smoking Ares, and Designating Conditions, Descriptions and
Standards of Smoking Area of Non-Smoking Area
under Non-Smoker's Health Protection Act B.E.2535(1992)**

By virtue of Section 4 (1), (2), (3) and Section 15 of the Non-Smoker's Health Protection Act B.E. 2535 (1992), which is a law containing containing certain provisions relating to the restriction of personal rights and freedom, for which Section 29 incorporation Section 31, Section 35, Section 48 and Section 50 of the Constitution of the Kingdom of Thailand provide that such can be made by virtue of the provisions of a law, the Minister of Public Health hereby issues a Announcement as follows:

Article 1. The following shall be repealed :

(1) Notification of Ministry of Public Health (No. 10) B.E. 2545(2002) Re Designating Names of Categories of Public Places Where There Must be Provided Non-Smoker's Health Protection, and Designating Areas of Zones of Such Places as Smoking Area of Non-Smoking Area;

(2) Notification of Ministry of Public Health (No. 13) B.E. 2546(2003) Re Designating Names of Categories of Public Places Where There Must be Provided Non-Smokers Health Protection, and Designating Areas or Zones of Such Places as Smoking Area or Non-Smoking Area;

(3) Notification of Ministry of Public Health (No. 16) B.E 2548(2005) Re Designating Names or Categories of Public Places Where There Must be Provided Non-Smoker's Health Protection, and Designation Areas or Zones of Such Places as Smoking Area or Non-Smoking Area.

Article 2. The following places shall be a public place where there must be provided non-smoker's health protection, whereby all shall be designated as a non-smoking area:

- (1) Fixed route passenger vehicle or hired passenger vehicle
- (2) School or university bus of all kinds
- (3) Passenger vehicle used in a common mission of administration agencies, state enterprises or other government agencies.
- (4) Passenger shelter or area used for waiting before or after the use of passenger vehicle of all kinds.
- (5) Passenger lift
- (6) Public telephone booth or area provided for the use of public telephone services.
- (7) Toilet
- (8) Entertainment house
- (9) Library
- (10) Meeting room, training room or seminar room
- (11) Pharmacy building
- (12) Clinic or medical treatment place for both humans and animals of the category not admitting overnight patients or animals
- (13) Building used as place of business of Thai massage or traditional massage.
- (14) Building used as place of business of health spa, health massage or beauty massage.
- (15) Building providing services of sauna, steam sauna or herbal sauna
- (16) Building for indoor exercises or indoor sports ground building, however, excluding places for indoor sports of snooker or billiard as per the Ministerial Regulations No. 27 B.E. 2534(1991) Issued under Gambling Act B.E. 2478(1935)
- (17) Stadium for watching sports or shows
- (18) Children playground
- (19) Pre-school kindergarten

(20) School or educational institute lower than university level

(21) Religious place or place for performing religious rites of various sects or religions, specifically where the religious rites are performed

All public places under paragraph one shall be a non-smoking area

(22) The following public places, specifically where they are air-conditioned:

22.1 Place for holding arts or cultural shows, museum or arts house;

22.2 Department store, trade centre, exhibition hall.

22.3 Barber's shop, dressmaker's shop/tailor's shop, beauty salon;

22.4 Place providing computer, internet, games or karaoke services;

22.5 Lobby or hotel, resort, dormitory, rented room, condominium building, court or apartment;

22.6 Food selling place, beverage selling place, food and beverage selling place, of banquet hall, except the following:

(1) Food selling place, beverage selling place, food and beverage selling place, or banquet hall, specifically which is or is located within the service houses under Section 3 (1), (2) and (3) of the Service Houses Act B.E. 2509(1966), amended by the Service Houses Act (No. 4) B.E. 2546 (2003).

(2) Food selling place, beverage selling place, food and beverage selling place, or banquet hall, specifically which is located within the service houses under Section 3 (4) and (5) of the Service Houses Act B.E. 2509(1966), amended by the Service Houses Act (No. 4) B.E. 2546 (2003), where the persons under the age of 20 years old who are not working in such places are not allowed to enter therein during service hours, whereby there must be displayed at least one permanent warning sign in Thai language of white background and "Si Praya" font, or other

similar font, in red of a size not smaller than 200 points reading “Cigarette Smoke Kills” or “Cigarette Smoke Causes Lung Cancer” at the conspicuous place of the entrance of such place.

The Food selling place, beverage selling place, food and beverage selling place, or banquet hall, which is or is located within the said service houses must not be a service house located at the public places under No. 2 and No. 3 of this Notification of Ministry of Public Health.

Article 3. The following places shall be a public place where there must be provided non-smoker’s health protection, whereby they all shall be designated as non-smoking area, however, subject to certain exceptions:

(1) Administration agencies, state enterprises or other government agencies

(2) Private entity’s workplace specifically where there is air-conditioning system, except the work place which is a service house under Section 3 of the Service Houses Act B.E. 2509 (1966), amended by the Service house that is located at the public places under No. 2 and No. 3 of this Notification of Ministry of Public Health.

(3) Passenger terminals of all kinds, including airport and boat pier

(4) Oil or gas service station

(5) University or educational institute from university level upwards

(6) Learning park or centre, occupation training centre, tutoring place, language teaching place, music-singing teaching place, acting teaching place, arts teaching place, sports teaching place, sports teaching place, self-defence arts teaching place, and others

(7) Bank, financial institution

(8) Religious place or place for performing religious rites of various sects or religions in all other parts than the area where religious rites are performed.

(9) Outdoor exercising ground or sports ground

(10) Public park, zoo, botanical park

(11) Hospital or medical treatment place for both humans and animals of the category admitting overnight patients or animals

(12) Public places in No. 2 (22.1 to 22.5) in all other parts than those located within the air-conditioned area.

The public places under paragraph one shall not be a non-smoking area specifically in the following cases:

(1) Private rest room or private work room of the worker in such public place, specifically where it is used by the said person only.

(2) Areas provided as “Smoking Area” specifically, whereby the condition and the description of the Minister of the Ministry of Public Health, which may or may not be arranged by the operator.

Article 4. Any public place where the word “building” is not specified shall mean to include an area used for operating such missions as well, whether or not it is fenced.

For any public place which is not designated or not clearly designated, it shall be based on the circumstances whether or not smoking at such place is a nuisance to other persons.

Article 5. This Notification shall be enforced after the lapse of 90 days from the day following the date of publication in the Government Gazette onwards.

Notified on this 24th day of August 2006

Pinit Jarusombat

(Mr.Pinit Jarusombat)

Minister of the Ministry of Public Health

Vol. 123 Special Section 101 Ngor. Government Gazette, September 29, 2006

**Notification of the Ministry of Public Health (No.18) B.E. 2550
(A.D. 2007)**

Re : Designating Names and Types of Public Places Where Non-Smoker's Health is Under Protection and Assigning a Zone or Area of Such Places to be Smoking Area or Non-Smoking Area, and Prescribing Conditions, Nature and Standard of Smoking or Non-Smoking Area Pursuant to the Protection of Non-Smoker's Health Act B.E. 2535 (A.D. 1992)

By virtue of the provisions of Section 4 (1) (2) and (3) and Section 15 of the Protection of Non-Smoker's Health Act B.E. 2535 (A.D. 1992) which is the law containing certain provisions with respect to the restriction of rights and liberties of persons, where Section 29, in conjunction with Section 32, Section 33, Section 41, and Section 43 of the Constitution of the Kingdom of Thailand so permit by virtue of the statutory provisions, the Minister of Public Health hereby issues a Notification as follows:

Clause 1. The provisions of (22) 22.6 under Clause 2 of the Notification of the Ministry of Public Health (No. 17) B.E.2549 (A.D. 2006) Re: Designating Names and Types of Public Places Where Non-Smoker's Health is Under Protection and Assigning a Zone or Area of Such Places to be Smoking Area or Non-Smoking Area, and Prescribing Conditions, Nature and Standard of Smoking or Non-Smoking Area Pursuant to the Protection of Non-Smoker's Health Act B.E. 2535 (A.D. 1992) shall be repealed and replaced with the following:

“22.6 All food or drink courts, food & drink courts, or banquet venues”

Clause 2. The provisions of (2) under Clause 3 of the Notification of the Ministry of Public Health (No. 17) B.E.2549 (A.D. 2006) Re: Designating Names and Types of Public Places Where Non-Smoker's Health is Under Protection and Assigning a Zone or Area of Such Places to be Smoking Area or Non-Smoking Area, and Prescribing Conditions, Nature and Standard of Smoking or Non-Smoking Area Pursuant to the Protection of Non-Smoker's Health Act B.E. 2535 (A.D. 1992) shall be repealed and replaced with the following:

“(2) Air-conditioned private workplaces”

Clause 3. The provisions of (12) under Clause 3 of the Notification of the Ministry of Public Health (No. 17) B.E.2549 (A.D. 2006) Re: Designating Names and Types of Public Places Where Non-Smoker's Health is Under Protection and Assigning a Zone or Area of Such Places to be Smoking Area or Non-Smoking Area, and Prescribing Conditions, Nature and Standard of Smoking or Non-Smoking Area Pursuant to the Protection of Non-Smoker's Health Act B.E. 2535 (A.D. 1992) shall be repealed and replaced with the following:

“(12) Public places under Clause 2 (22) 22.1 to 22.6 in all areas other than those covered by the air-conditioning system”.

Clause 4. The following provisions shall be added as (13) under Clause 3 of the Notification of the Ministry of Public Health (No. 17) B.E.2549 (A.D. 2006) Re: Designating Names and Types of Public Places Where Non-Smoker's Health is Under Protection and Assigning a Zone or Area of Such Places to be Smoking Area or Non-Smoking Area, and Prescribing Conditions, Nature and Standard of Smoking or Non-Smoking Area Pursuant to the Protection of Non-Smoker's Health Act B.E. 2535 (A.D. 1992):

“(13) Market which means a place provided for gathering by vendors to organize shows and exchange goods and services, on a regular or temporary or specific-day basis”.

Clause 5. This Notification shall become effective after forty-five days from the date of its publication in the Government Gazette.

Notified on this 29th day of November, B.E. 2550 (A.D. 2007)

Mongkol Na Songkla

Minister of Public Health